

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Claims 1-38 were pending in this application. By the present Amendment, Claims 1-38 are canceled and Claims 39-54 are added.

Claims 1-7 were rejected under 35 U.S.C. 112. The remaining claims were rejected under 35 U.S.C. 102(e) over U.S. Patent No. 6,253,322 ("Susaki") or under §103(a) over Susaki in view of U.S. Patent No. 5,408,082 ("Takagi"). Applicants submit that newly presented Claims 39-54 are patentable over the cited references for at least the following reasons:

Considering newly presented Claim 39, for example, it is submitted neither Susaki nor any proper combination of Susaki with Takagi discloses or suggests an information processing device for supplying management information to a data storage device, that includes at least the following:

"forming means for forming management information that manages a storage area in the data storage device in a layered structure, said management information pertaining to a definition area to be formed in the data storage device, said definition area being used to define storage areas of the data storage device for use in providing services;

encrypting means for encrypting said management information, said encrypting means encrypting a lower layer of the management information by using a key contained in an upper layer of the management information;

communication means for communicating the encrypted management information to said data storage device, to enable said definition area to be formed therein based upon said management information." (emphasis added)

It should be readily apparent that at least the above-emphasized features are neither disclosed or suggested by the Susaki or Takagi patent references. Susaki, for instance, is directed to an electronic certification authentication method and system, and, as pointed out by the

Examiner, includes an IC card 120 that comprises a data storage area 203e for storing a password as the data to implement certification and authentication services. Susaki's IC card also stores a cryptographic key generating program containing a key pair necessary to access the external output prohibit area of the data storage area. These features, however, are in no way equivalent to Applicants' forming means, and encrypting means - in which a lower layer of management information is encrypted by using a key contained in an upper layer of the management information. Further, Sasaki, as applied by the Examiner, is directed to an IC card itself, not to an information processing device for supplying management information to a data storage device (e.g., to an IC card); thus, Applicant's claimed communication means are not disclosed by Sasaki. Nor does the Takagi patent cure the deficiencies of Sasaki with respect to these aspects of the present invention.

Accordingly, independent Claim 39 is patentable over Sasaki and Takagi. Independent Claims 44, 51, 52 and 54 are patentable for at least the same reasons just discussed concerning analogous features of Claim 39.

The remaining claims in this application are patentable based at least upon their respective dependencies from the above-noted independent claims.

Conclusion

In light of the foregoing, entry of this Amendment, and the allowance of this application with Claims 39-54, is respectfully solicited.


The above statements concerning the disclosures in the cited references represent the present opinion of Applicant's representative and, in the event that the Examiner disagrees, Applicant's representative respectfully requests the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

It is submitted that the claims in this application, as originally presented, are patentably distinct over the prior art cited by the examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. 112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made for clarification and to round out the scope of protection for the invention.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:



Glenn F. Savit
Reg. No. 37,437
(212) 588-0800